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APPLICATION NO.	F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/519,597	10/519,597. 12/28/2004		Eric Walker	040587/286464	7388
826	7590	11/09/2005		EXAM	IINER
ALSTON	& BIRD I	LLP	OJINI, EZIAMARA ANTHONY		
BANK OF	AMERICA	A PLAZA			
101 SOUTE	I TRYON	STREET, SUITE 40	ART UNIT	PAPER NUMBER	
		28280-4000	3723		

DATE MAILED: 11/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

		The				
	Application No.	Applicant(s)				
	10/519,597	WALKER, ERIC				
Office Action Summary	Examiner	Art Unit				
	Anthony Ojini	3723				
The MAILING DATE of this communication Period for Reply	appears on the cover sheet wi	ith the correspondence address -				
A SHORTENED STATUTORY PERIOD FOR REWHICHEVER IS LONGER, FROM THE MAILING - Extensions of time may be available under the provisions of 37 CFI after SIX (6) MONTHS from the mailing date of this communication - If NO period for reply is specified above, the maximum statutory pe - Failure to reply within the set or extended period for reply will, by st Any reply received by the Office later than three months after the mearned patent term adjustment. See 37 CFR 1.704(b).	B DATE OF THIS COMMUNION R 1.136(a). In no event, however, may a r r r r r r r r r r r r r r r r r r	CATION. reply be timely filed ITHS from the mailing date of this communication. BANDONED (35 U.S.C. § 133).				
Status						
1)⊠ Responsive to communication(s) filed on 2	8 December 2004.					
2a) This action is FINAL . 2b)	·					
3) Since this application is in condition for allo	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice und	er <i>Ex parte Quayle</i> , 1935 C.D). 11, 453 O.G. 213.				
Disposition of Claims						
4)⊠ Claim(s) 12-24 is/are pending in the applica	ation.					
4a) Of the above claim(s) is/are with	4a) Of the above claim(s) is/are withdrawn from consideration.					
5) Claim(s) is/are allowed.						
6) Claim(s) is/are rejected.						
7) Claim(s) is/are objected to.						
8) Claim(s) <u>12-24</u> are subject to restriction and	d/or election requirement.					
Application Papers						
9)☐ The specification is objected to by the Exam	niner.					
10)☐ The drawing(s) filed on is/are: a)☐ a	accepted or b) ☐ objected to	by the Examiner.				
Applicant may not request that any objection to	= · · · ·					
Replacement drawing sheet(s) including the cor						
11)☐ The oath or declaration is objected to by the	Examiner. Note the attached	Office Action or form P10-152.				
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for fore a) All b) Some * c) None of:	eign priority under 35 U.S.C. §	§ 119(a)-(d) or (f).				
1. Certified copies of the priority docum						
2. Certified copies of the priority docum						
3. Copies of the certified copies of the p		received in this National Stage				
application from the International But * See the attached detailed Office action for a		received				
See the attached detailed Office action for a	list of the certified copies not	received.				
Attachment(s)	_					
1) Notice of References Cited (PTO-892)		Summary (PTO-413) s)/Mail Date				
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB 	√08) 5) ∐ Notice of I	nformal Patent Application (PTO-152)				
Paper No(s)/Mail Date	6)	·				

Election/Restrictions

Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions, which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claims 12-19, drawn to a screw having a driving recess in a top face of its head, classified in class 411, subclass 389.

Group II, claims 20-24, drawn to a driver classified in class 81, subclass 460.

The inventions listed as Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: **screw** is silent with respect to scallops joining adjacent drive elements wherein each scallop in transverse section is a concave arc; and **the driver** can be used to drive Philip screws that does not require recess-lobes.

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Species I is illustrated in figures 1a, 1b, 2a, 2b, 3a, 3b,4a, 4b;

Species II is illustrated in figures 5a, 5b;

Species III is illustrated in figure 6; and

Species IV is illustrated in figure 7.

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Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

A telephone call was made to Attorney Jason P. Cooper on 11/3/05 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Ojini whose telephone number is 571 272 4492. The examiner can normally be reached on 7 to 4 Tuesday-Friday with every other Monday off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 571 272 4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AO 11/3/05

> LEE D. WILSON PRIMARY EXAMINED